

AUG 08 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Rickey D. hart	Group Art Unit: 3738 Examiner: Paul B. Prebilic
Application No.:	10/623,212	
Filed:	July 18, 2003	
Entitled:	APPARATUS AND METHODS FOR ANCHORING AUTOLOGOUS OR ARTIFICIAL TENDON GRAFTS IN BONE	
Docket No.:	22956-233 (MIT230DIV)	

Certificate of Facsimile (37 C.F.R. 1.8(a))

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August 8, 2005

By: 

Date of Signature and Mail Deposit:

Lisa J. Michaud, Reg. No. 44,238  
Attorney for Applicant(s)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This communication is in response to the Office Action dated July 22, 2005.

The Examiner requires restriction of the above-referenced application to one of the following inventions:

Group I: claims 61-89, drawn to a method of anchoring soft tissue (the combination); and  
Group II: claims 90-94, drawn to a method of ligament reconstruction (the subcombination).

Applicants elect the Group I claims (claims 61-89). Accordingly, claims 90-94 are withdrawn from consideration.

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The Examiner further requires election of one of the following "patentably distinct" species:

If Group I is elected:

Species A: Figure 5a (aperture);  
Species B: Figure 5b (slot); and  
Species C: Figure 5c (hook or barb).

If Group II is elected:

Species I: Figure 9a;  
Species II: Figure 9b;  
Species III: Figures 9c and 9d;  
Species IV: Figure 9e; and  
Species V: Figure 9f.

The Examiner submits that no claims are generic.

Applicants elect Species A (Figure 5a, aperture) of Group I. However, claims 61-89 are currently generic to all species. Accordingly, no further claims are withdrawn from consideration.

The Examiner is encouraged to telephone the undersigned attorney for Applicants if such communication is deemed to expedite prosecution of this application.

Respectfully submitted,

Date: August 8, 2005

  
Lisa J. Michaud, Reg. No. 44,238  
Attorney for Applicant(s)

Nutter McClellan & Fish LLP  
World Trade Center West  
155 Seaport Boulevard  
Boston, MA 02210  
Tel: (617)439-2550  
Fax: (617)310-9550

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